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March 10, 2025

VIA ECF

The Honorable Jennifer L. Rochon
 U.S. District Court for the Southern District of New York
 Daniel Patrick Moynihan U.S. Courthouse
 500 Pearl Street, Room 1920
 New York, New York 10007

Re: *Cengage Learning, Inc. v. Google LLC*, No. 1:24-cv-04274-JLR-BCM
Unopposed Request for Adjournment and Rescheduling of March 12 Conference

Dear Judge Rochon:

We represent Defendant Google LLC in the above-captioned matter. On March 10, 2025, the Court scheduled a pre-motion discovery conference for March 12, 2025, at 10:00 a.m. Dkt. 88. Counsel for Google has a preexisting hearing in another matter and pre-planned travel that conflict with the date and time set for the conference. Pursuant to Rule 1.F. of this Court's Individual Rules of Practice in Civil Cases, we therefore respectfully request that the Court adjourn and reschedule the conference. We have conferred with Plaintiffs' counsel, who provided the following response:

Plaintiffs are prepared to proceed with the scheduled hearing on Wednesday, March 12 and remain extremely concerned about the slow pace of Defendant's discovery in this matter. However, as a professional courtesy, Plaintiffs do not oppose Defendant's request to postpone the hearing. Plaintiffs respectfully request that if the hearing is postponed, it be rescheduled for the earliest day that Defendant's counsel is available and that is convenient for the Court. Plaintiffs also remain available to meet and confer further with Defendant in the meantime if Defendant wishes to reconsider its position that it is unwilling to discuss a document production schedule, other than as to the substantial completion date.

The earliest date that Google's counsel is available is Monday, March 17. Counsel for Google is also available at the Court's convenience any other day the week of March 17, and has confirmed that Plaintiffs' counsel is also available on those dates.

There have been no prior requests to extend the date of this pre-motion discovery conference, and the request will not affect any deadlines in the Case Management Plan and Scheduling Order, Dkt. 34.

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We thank the Court for its consideration of this request.

Respectfully,

/s/ Sarah A. Tomkowiak

Sarah A. Tomkowiak
of LATHAM & WATKINS LLP

cc: All Counsel of Record (via ECF)

The parties' discovery conference shall be rescheduled to March 17, 2025 at 11 a.m. The Teams information and public access line shall be the same as previously indicated on the docket. Dkt. 88.

Dated: March 11, 2025
New York, New York

SO ORDERED.

Jennifer Rochon
JENNIFER L. ROCHON
United States District Judge